

REMARKS

1. In response to the Office Action mailed December 22, 2005, Applicant respectfully requests reconsideration. Claims 21-53 were last presented for examination. In the outstanding Office Action, all claims were rejected. No claims have been amended, canceled or added in this paper. Thus, upon entry of this paper, claims 21-53 will remain pending in this application. Of these thirty-three (33) claims, three (3) claims (claims 21, 26 and 41) are independent. Based on the following Remarks only, Applicant respectfully requests that all outstanding rejections be reconsidered, and that they be withdrawn.

Art of Record

2. Applicant acknowledges receipt of form PTO-892 identifying additional references made of record by the Examiner.

Claim Rejections Under 35 USC 103(a) – Lim in view of Hutcheson

3. Independent claims 21, 26 and 41 and dependent claims 22, 25, 27, 28, 30, 32, 37, 38, 42, 43, 45, 47, 52 and 53 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,434,619 to Lim, *et al.* (hereinafter, “Lim”) in view of U.S. Patent Publication No. 2003/0032409 to Hutcheson (hereinafter, “Hutcheson”). Dependent claims 23-25, 29, 31, 33-36, 39, 44, 46 and 48-51 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lim and Hutcheson, in further view of one of the following references: U.S. Patent Publication No. 2002/0053020 A1 to Teijido, *et al.* (hereinafter, “Teijido”); and U.S. Patent No. 6,275,225 to Rangarajan, *et al.* (hereinafter, “Rangarajan”). Based upon the following Remarks, Applicant respectfully requests reconsideration and withdrawal of these rejections.

4. As a preliminary matter, Applicant notes that the newly cited Hutcheson reference was filed after the filing date of the present application. Although Hutcheson claims priority to an earlier filed provisional application (No. 60/276,056), only the subject matter disclosed in this earlier filed provisional application is afforded the priority date of the provisional application. (MPEP 706.02(f)1) Despite this, the Examiner did not rely on the provisional application, but only on the later filed published application. The Examiner made no showing that this provisional application provides proper support for the relied on portions of

Hutcheson. Despite this and for expediency, Applicant below addresses the published Hutcheson reference and the portions of same relied on by the Examiner.

5. Independent claim 21 recites, in part, “applying a display filter to resources of the service provider network not excluded by said security filter.” The Examiner apparently recognized that Lim does not disclose a multi-filter system comprising a display filter operating on network resources not excluded by a security filter and therefore left out the words “not excluded by said security filter” from the claim limitation. (*See*, Office Action at pg. 3.) Instead, the Examiner has merely alleged that Lim discloses a display filter and instead relies on Hutcheson for allegedly disclosing a security filter. (*See*, Office Action, pg. 3.)

6. The Examiner is reminded that in order to establish a *prima facie* case of obviousness all claim limitations must be taught or suggested by the prior art. MPEP §2143.03. Thus, even if the Examiner were correct and Hutcheson discloses a security filter, Hutcheson, like Lim, does not teach or suggest a multi-filter system in which both a display filter and a security filter are applied, nor applying a display filter to resources not excluded by a security filter. As such, neither Hutcheson nor Lim disclose the limitation of claim 21 of “applying a display filter to resources of the service provider network not excluded by said security filter.” For this reason alone, the Office Action is improper and should be withdrawn

7. Additionally, Applicant respectfully disagrees with the Examiner’s reliance on Hutcheson as allegedly disclosing a security filter as recited in claim 21. As a preliminary matter, the Examiner has not identified any particular filter of Hutcheson that allegedly discloses a security filter as claimed. Rather, the Examiner has merely pointed to portions of Hutcheson that disclose a system employing an extranet. As will be explained in detail below, this is because no filter is disclosed in these sections of Hutcheson.

8. Hutcheson is directed to a method for providing informational content to a user of a communications device wirelessly coupled to a communications network. (*See*, Hutcheson at Abstract.) This information content may be made accessible to the user via an extranet. (*See*, Hutcheson at 0163.) This extranet may include dynamically generated web pages forming a website tailored to the user (or a group of users). (*See*, Hutcheson at 0164.) Using this extranet, advertisers can monitor, update, and modify their advertising campaigns via these tailored web pages. (*See*, Hutcheson at 0165.) For example, advertisers may upload files to the system for use in the campaigns via the extranet. (*See*, Hutcheson at 0165.) The system

may also include a content management model that provides an operator of the system with ultimate control over the advertisements (and other content) provided to the operator's subscribers. (*See*, Hutcheson at 0193.) For example, when an update (e.g., a new file) is received by the system from an advertiser via the extranet, the update may first be presented to the operator for review and approval. (*See*, Hutcheson at 0193.)

9. Thus, contrary to the Examiner's assertions, the cited portions of Hutcheson do not disclose a security filter that "specif[ies] the network resources of a partitioned network allocated to [a] customer, the partitioned network including at least portion of the service provider network" as claimed. Rather, they merely disclose an extranet that includes web pages tailored to individual users. Further, as noted above, these web pages are disclosed by Hutcheson as being dynamically generated. As such, they are not, nor are they analogous to, a filter that specifies the network resources allocated to the user.

10. Additionally, Hutcheson fails to teach or suggest "a partitioned network allocated to [a] customer, the partitioned network including at least a portion of said service provider network." For example, Figure 4 of Hutcheson illustrates a cellular network. Hutcheson, however, does not teach or suggest partitioning this network or any other network, nor allocating a partition of the network to a particular customer. Moreover, the sections relied on by the Examiner merely disclose an extranet that can be used to tailor content provided to a user. There is no disclosure, however, of partitioning the network itself.

11. As such, Applicant respectfully submits that neither Hutcheson nor Lim, whether taken alone or in combination teach or suggest a "security filter ...specifying the network resources of a partitioned network allocated to [a] customer, the partitioned network including at least a portion of said service provider network," as recited by claim 21. Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection to claim 21 for at least this additional reason.

12. Claim 26 recites, in part, "displaying a portal display of on-line service information generated from application of one of said plurality of modules to network resources resulting from application to the service provider network of a security filter corresponding to the customer and at least one of said display filters." As such, Applicant respectfully submits that for at least reasons similar to those discussed above, independent claim 26 is likewise allowable over the cited references.

13. Claim 41 recites, in part, “a display manager configured to construct a portal display of on-line service information resulting from an application of selected module to a network resource of said service provider network of resulting from application a security filter corresponding to the customer and a display filter” As such, Applicant respectfully submits that for at least reasons similar to those discussed above, independent claim 41 is likewise allowable over the art of record.

Claim Rejections Under 35 USC 103(a) – Dobbins in view of Lim

14. Independent claims 21, 26 and 41 and dependent claims 22, 27, 28, 30, 32, 37-39, 43, 45, 47, 52 and 53 have also been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0066033 to Dobbins (hereinafter, “Dobbins”) in view of Lim. Further, dependent claims 23-25, 29, 31, 33-36, 39, 44, 46 and 48-51 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Dobbins in view of Lim, in further view of Tejjido or Rangarajan. Based on the following remarks, Applicant respectfully requests reconsideration and withdraw of the rejections.

15. Applicant respectfully disagrees with the Examiner’s reliance on Dobbins as allegedly disclosing a security filter and a display filter as recited in claim 21. Dobbins is directed to a system for managing content resources. (*See*, Dobbins at 0009.) A request is received from a user for access to a source of content resources. (*See*, Dobbins at 0009.) The system then determines if the user is authorized to access the source (referred to by Dobbins as the “authentication policy”). (*See*, Dobbins at 0023.) If so, a stored profile for the user is retrieved that identifies the applications and services of the system to which the user subscribes. (*See*, Dobbins at 0024.) A specifically tailored web page is then generated for the user based on this information. (*See*, Dobbins at 0025.) The user may then opt to use any of the services to which they subscribe via this web page. (*See*, Dobbins at 0026.) In the Office Action, the Examiner alleged that the authentication policy of Dobbins is a security filter and the profile is a display filter. (*See*, Office Action at pg. 14, “after applying the authentication policy, Dobbins’s system applies the subscriber’s profile to further refine which content and services the user desires.”) Applicant respectfully disagrees with the Examiner for at least the below stated reasons.

16. The authentication policy of Dobbins, which the Examiner alleged was a “security filter,” merely discloses determining if the user is authorized, and if so, permitting the user to

access the network. This authentication policy does not specify to which resources and services the user subscribes, but simply determining whether or not the user is authorized to access the system. Further, the profile of Dobbin merely specifies to which resources and services the user subscribes. This profile does not filter resources not excluded the authentication policy of Dobbins.

17. As such, contrary to the Examiner's assertions Dobbins fails to teach or suggest "applying a display filter to resources of the service provider network not excluded by [a] security filter, said display filter specifying network resources for which the on-line service information is desired by the customer," as recited by independent claim 21. Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection of claim 21 for at least this reason.

18. Claim 26 recites, in part, "displaying a portal display of on-line service information generated from application of one of said plurality of modules to network resources resulting from application to the service provider network of a security filter corresponding to the customer and at least one of said display filters." As such, Applicant respectfully submits that for at least reasons similar to those discussed above, independent claim 26 is likewise allowable over the cited references.

19. Claim 41 recites, in part, "a display manager configured to construct a portal display of on-line service information resulting from an application of selected module to a network resource of said service provider network of resulting from application a security filter corresponding to the customer and a display filter." As such, Applicant respectfully submits that for at least reasons similar to those discussed above, independent claim 41 is likewise allowable over the art of record.

The Examiner has Failed to Provide Evidence of a Motivation to Combine

20. As set forth in the Manual of Patent Examining Procedure (MPEP) at § 706.02(j), "To establish a *prima facie* case of obviousness . . . there must be some suggestion or motivation, ***either in the references themselves or in the knowledge generally available to one of ordinary skill in the art***, to modify the reference or to combine reference teachings (emphasis added) . . . The teaching or suggestion to make the claimed combination and the reasonable expectation of success ***must both be found in the prior art and not based on applicant's***

disclosure (emphasis added). *In re Vaeck*, 947 F.2d. 488, 20 USPQ2d 1438 (Fed. Cir. 1991).”

21. The Office Action attempts to justify combining Lim with Hutcheson based on the following conclusory statement:

It would have been obvious to one of ordinary skill in the art to incorporate Hutcheson’s security privilege filter into Lim’s management system to provide the administrator control over who is capable of accessing and viewing network resources (see Hutcheson, 0163)

(See, Office Action at pg. 4.)

22. This cited section, however, merely provides a motivation to use the system of Hutcheson. It does not provide any reasons as to why someone would be motivated to combine the teachings of Hutcheson with Lim. In fact, it does not even mention or suggest that the teachings of Hutcheson could be combined with a system such as that disclosed in Lim.

23. For example, this cited portion provides no explanation as to why someone might be motivated to provide a two-tiered filtering system including both a display filter and a security filter. Rather, it merely provides an explanation as to why someone might use an extranet, such as disclosed by Hutcheson (*i.e.*, to access a system).

24. As held by the Federal Circuit in *In re Lee*, 61 USPQ2d 1430, 1433 (Fed. Cir. 2002), specific reasons must be shown in the art suggesting a combination of references. (See also *In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000) (“[P]articular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed.”); *Also see, In re Rouffet*, 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998) (“[E]ven when the level of skill in the art is high, the Board must identify specifically the principle, known to one of ordinary skill, that suggests the claimed combination.”)).

25. As such, because the Examiner has failed to provide evidence of a motivation to combine Hutcheson and Lim in the manner claimed, Applicants respectfully request that the Examiner reconsider and withdraw the rejections under §103 for at least this reason.

26. Likewise the Examiner has failed to provide evidence of a motivation to combine Dobbins and Lim in the manner claimed. In particular, the Office Action attempts to justify combining Lim with Dobbins based on the following conclusory statement:

It would have been obvious to one of ordinary skill in the art to modify Dobbins to include the partitioned networks as taught by Lim. Lim disclose that partitioned networks are well known in the art for network management systems [column 1 <<lines 37-62>>]. The portioned networks would improve Dobbins by providing a service provider the ability to divide network resources and allocate them to customers.

(See, Office Action at pg. 15.)

27. The Examiner, however, provides no citation supporting the Examiner's conclusory statement that someone would be motivated to "improve Dobbins by providing a service provider the ability to divide network resources and allocate them to customers." Rather, the Examiner simply alleges this without identifying any support in Dobbins or any other reference. As such, the Examiner has failed to provide evidence of a proper motivation to combine Dobbins and Lim. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection for at least this additional reason.

Dependent Claims

28. The dependent claims incorporate all of the subject matter of their respective independent claims and add additional subject matter which makes them a fortiori and independently patentable over the art of record. Accordingly, Applicant respectfully assert that the dependent claims are patentable over the art of record at least for the same reasons as those noted above.

Conclusion

29. In view of the foregoing, this application should be in condition for allowance. A notice to this effect is respectfully requested.

Respectfully submitted,

/Michael G. Verga/ Registration No. 39,410

Michael G. Verga

Reg. No. 39,410

March 20, 2006